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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/401,581	09/22/1999	DAVID L. NEWBOLD	3330/46	4842

29858 7590 04/15/2003

BROWN, RAYSMAN, MILLSTEIN, FELDER & STEINER LLP
900 THIRD AVENUE
NEW YORK, NY 10022

EXAMINER

LUDWIG, MATTHEW J

ART UNIT

PAPER NUMBER

2178

DATE MAILED: 04/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



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Office Action Summary

Application No.

09/401,581

Applicant(s)

NEWBOLD, DAVID L.

Examiner

Matthew J. Ludwig

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2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 September 1999 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. The action is responsive to communications: application filed 09/22/99.
2. Claims 1-22 are pending in the case. Claims 1, 18, 22 are independent claims

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gilmour et al. U.S. Patent Number 6,421,669 filed(9/18/98), in view of 'Maarek, Yoelle, "Automatic Organizing Bookmarks per Contents", 5/10/96, pages 1-17.

In reference to independent claim 1, Gilmour discloses:

- A method of assigning a confidence level value to a ***term*** within an electronic document. This confidence level value is based on a first quantitative indicator, derived from the number of occurrences of the term within the electronic document. See column 6, lines 27-35.

- The word ***term*** shall be taken to include any acronym, word, collection of words, phrase, sentence, or paragraph. The term confidence level shall be taken to mean any indication, numeric or otherwise, of a level within a predetermined range. See column 6, lines 35-40.

- If the confidence level assigned to the content exceeds the predetermined threshold, the content is automatically included within the first portion of the first entity. See column 2, lines 33-37.

Gilmore further discloses a confidence level used for linking specific content within electronic documents; however, Gilmore does not explicitly teach maintaining an *affinity variable* associated with the user for each of one or more of the topics assigned to a document attributed to the user. Maarek discloses a user, who could have more conceptual information about a cluster or document, via a list of key concepts represented as lexicon affinities. See Maarek, pages 15-17 Maarek proficiently demonstrates a bookmark application, which uses lexicon affinities for automatic classification within electronic documents.

It would have been obvious to one of ordinary skill in the art, having the teachings of Gilmour and Maarek before him at the time the invention was made, to modify the knowledge profile methods taught by Gilmour to include the affinity variable utilized to construct a personalized bookmark hierarchy of Maarek, because the affinity variables would have provided an efficient automatic classification mechanism that uses clustering analysis to organize documents based on their conceptual similarity.

In reference to dependent claim 2, Gilmour discloses:

The knowledge access server functions primarily to respond to queries and updates from users submitted via clients, typically browser clients. See column 8, lines 15-20. Gilmour further discloses a profile controller, which is a module that may optionally be included within the knowledge site management server, and manages a queue of pending, compute-intensive operations associated with updating profiles. See column 9, lines 55-60.

In reference to dependent claim 3, Gilmour discloses:

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A characteristic indicator in the form of a term weight value is determined, based on characteristics qualities of the term such as those represented by the Type and Part of Speech indications discussed above. See column 15, lines 52-56.

In reference to dependent claim 4, Gilmour discloses:

A weight table, utilizing which weight value may be assigned to each of the extracted terms. See column 15, lines 55-60. The reference does not explicitly disclose factors, which are selected from the group consisting of a number of documents to which the first topic is assigned; however, the weight value factors taught by Gilmour utilize weight value tables, which are based on electronic document content and would have provided a proficient method of assigning period of time over which the documents were created by the user and a closeness of each document to the first topic.

In reference to dependent claim 5, Maarek discloses:

The user can have more conceptual information about a cluster or document, via a list of key concepts represented as lexicon affinities. The reference does not explicitly disclose adjusting the affinity variable based upon affinity variables associated with a plurality of second users; however the automatic bookmarking method taught by Maarek demonstrates lexicon affinity variable varying based on content associations. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the knowledge profile taught by Gilmour to include the lexicon affinities for a well-structured profile system.

In reference to dependent claim 6, Gilmour discloses:

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The knowledge access server functions primarily to respond to queries and updates from users submitted via clients, typically browser clients. See column 8, lines 15-20. The reference does not explicitly disclose a user's manipulation of a document; however, the knowledge access server teaches similar methods as a user's manipulation of an electronic document and would have provided a proficient method of keeping track of queries from users.

In reference to dependent claim 7, Gilmour discloses:

A profile controller is a module that may optionally be included within the knowledge site management server, and manages a queue of pending, compute-intensive operations associated with updating profiles. See column 9, lines 55-60. The profile controller manages the recalculation of profiles. The adding and deleting of content to the document, sending the document to another user, bookmarking the document, and modifying the document would have associated with changes to a document profile and therefore would have been an obvious inclusion within the profile controller and for the updating of profiles.

In reference to dependent claim 8, Maarek discloses:

The user can have more conceptual information about a cluster or document, via a list of key concepts represented as lexicon affinities. See Maarek, page 15-17. The reference does not explicitly disclose assigning a topic to the document based upon content added to or deleted from the document; however, the document and the lexicon affinities contained within the profile maintain associations based on terms within electronic documents. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the knowledge profile methods of Gilmour and included the lexicon affinity variables, because it

would have provided an efficient method of assigning topics based on content for a well-structured knowledge profile.

In reference to dependent claim 9, Maarek discloses:

The cluster indices are then sorted according to their weights, and those with the higher scores are selected as key concepts. Using lexical affinities instead of single words to represent concepts is much less ambiguous within electronic documents. See Maarek, page 10. Maarek teaches dynamically generating a list of characterizing key concepts for each cluster. The methods of Maarek would have been an obvious inclusion into the knowledge profile taught by Gilmour, because it would have provided a proficient means of assigning one or more topics to a document based upon content within the electronic document.

In reference to dependent claim 10, Gilmour discloses:

A sender of an email message is presented with a list of proposed recipients, identified according to their knowledge profiles and the content of the e-mail message, who may be interested in receiving the e-mail message. See column 5, lines 55-60. The reference does not explicitly disclose a content catalog, however, the knowledge profiles collected according to specific attributes would have provided a similar feature as that of a catalog of knowledge profiles.

In reference to dependent claim 11, Maarek discloses:

Compute for every bookmark cluster a list of key concepts represented by lexicon affinities and that form an inherent part of the description of the bookmark folder. See Maarek, page 10. The reference does not mention storing the affinity variable in a profile associated with

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the user; however, the qualitative information regarding the computing bookmark clusters as taught by Maarek utilizes affinity variables in its key concept representations.

In reference to dependent claim 12 & 13, Gilmour discloses:

If a user requests an expert in a certain field via a client browser client, the knowledge access server matches the term against both the public and private portions of all user profiles. If a high confidence, but private, match is found, the system cannot reveal the identity of the matched person to the inquirer and must therefore open a case. See column 10, lines 1-15.

In reference to dependent claim 14, Gilmour discloses:

If a user requests an expert in a certain field via a client browser client, the knowledge access server matches the term against both the public and private portions of all user profiles. See column 10, lines 5-10.

In reference to dependent claim 15, Gilmour discloses:

Go into the profile and edit the term responsible for the match. See column 10, lines 20-23. The reference demonstrates communication between the user and one or more of the plurality of user who have identified the user's association with the given topic.

In reference to dependent claim 16, Gilmour discloses:

The grammatical structure, length, frequency and density with which the extracted knowledge terms occur within electronic documents originated by a user, and prior history of use of the extracted knowledge terms within an organization may furthermore be utilized to attach a metric, in the form of a confidence level value, to the relevant knowledge terms for the purpose of grouping, ranking, and prioritizing such knowledge terms. See column 5, lines 1-10.

In reference to dependent claim 17, Gilmour discloses:

The grammatical structure, length, frequency and density with which the extracted knowledge terms occur within electronic documents originated by a user, and prior history of use of the extracted knowledge terms within an organization may furthermore be utilized to attach a metric, in the form of a confidence level value, to the relevant knowledge terms for the purpose of grouping, ranking, and prioritizing such knowledge terms. See column 5, lines 1-10.

In reference to independent claim 18, Gilmour discloses:

- A method of facilitating a user profile query or look-up wherein, in response to a match between a query and a user profile. See column 6, lines 7-10.
- A confidence level is automatically assigned to content within an electronic document associated with a first entity. The content is potentially descriptive of the first entity.

Gilmore discloses content being stored within an electronic document, which associates the content with a user. The user profile query or look-up demonstrates the utilization of a directory, which performs similar techniques as a content catalog.

Gilmour further discloses content, which is automatically rejected for inclusion within the entity profile if the confidence level assigned to the content is less than a predetermined threshold. The routines executed by the computerized system for maintaining this value for each specific profile provides a proficient technique within a user knowledge profile. However, The reference does not teach the explicit use of affinity values.

Maarek discloses the use of lexicon affinities within his methods for automatically organizing bookmarks per contents. The lexicon affinities are maintained to provide titles for folders that the user can leave as such or replace by a more stylistic phrase. See Maarek, page 10.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Gilmour and Maarek before him at the time the invention was made, to modify the user knowledge profiles taught by Gilmour to include the lexicon affinities of Maarek, because it would provide the user with more conceptual information about a document, via a list of key concepts represented as lexicon affinities.

In reference to dependent claim 19, Gilmour discloses:

A lexicon controller is responsible for building tables of associated terms. Terms are considered associated with each other to the extent that they tend to co-occur in close proximity with the documents of multiple users. See column 9, lines 48-55.

In reference to dependent claim 20, the claim recites similar limitations to that of dependent claim 17 and is therefore rejected under the same rationale.

In reference to dependent claim 21, Gilmour discloses:

The knowledge access server functions primarily to respond to queries and updates from users submitted via clients. See column 8, lines 15-20.

In reference to independent claim 22, the limitations of these claims are the computer program for carrying out the method of claim 1, and are therefore rejected under the same rationale.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Cohen et al.	US Patent Number 6,377,983	filed 11/13/98
Frauenhofer et al.	US Patent Number 6,236,991	filed 11/26/97

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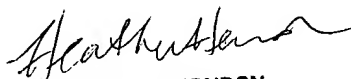
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Ludwig whose telephone number is 703-305-8043.

The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 703-308-5186. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

ML
March 6, 2003


HEATHER R. HERNDON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100